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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/754,876	01/09/2004	Ronald A. Trumble	SLTRUM.00002	8670

7590 03/21/2005

Law Office of Steven B. Leavitt
9914 Waterview Parkway
Rowlett, TX 75089

EXAMINER

HUNTER, ALVIN A

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/754,876

Applicant(s)

TRUMBLE ET AL.

Examiner

Alvin A. Hunter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The specification does not provide antecedent for having a distance of about 0.960 to 0.720 inches as claimed in claims 4 and 13.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 2, the applicant claims the hosel allowing the putter head to be recessed. What is the applicant trying to convey? Is the putter head recessed wherein the putter head is behind the hosel as shown in Figure 2 or is the putter head recessed wherein the putter head as a recessed portion created by element **23** as shown in Figure 2? Clarity to the claim is needed. For examination purposes, recessed will be interpreted as the putter head being behind the hosel as shown in Figure 2.

Claim Rejections - 35 USC § 102

A 35 U.S.C. 102 rejection over multiple references has been held to be proper when the extra references are cited to:

- (A) Prove the primary reference contains an "enabled disclosure;"
- (B) Explain the meaning of a term used in the primary reference; or
- (C) Show that a characteristic not disclosed in the reference is inherent.

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-7, 9-15, and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Pinns (USPN 6155934) in view of Klein (USPN 5569098).

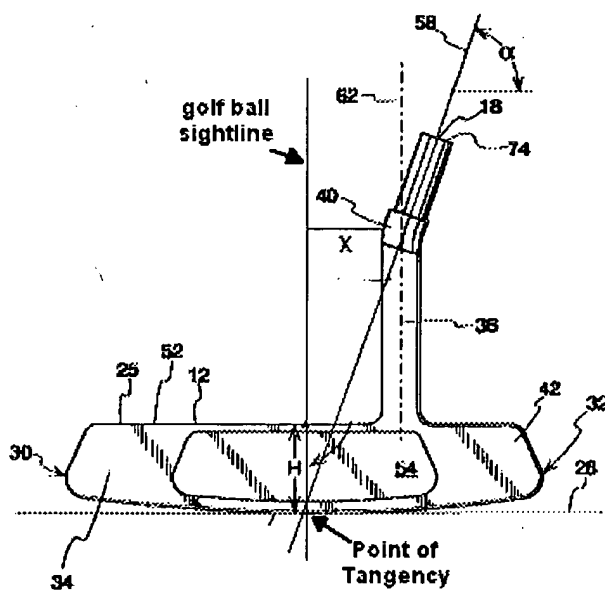


Fig. 3

Regarding claim 1, Pinns shows a golf club having a shaft **14** for holding the putter, a putter head **12** affixed to a terminal end of the shaft, vertical leg **38**, horizontal leg **40**, and a stub shaft **18** wherein elements **38**, **40**, and **18** make up a shaft attachment means at the end of the putter head for receiving the terminal end of the shaft wherein a centerline extends through the center of the shaft and continues through

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a center portion of the stub shaft (See Figures 4 and 5). Pinns does not explicitly disclose the shaft attachment means being a hosel. Klein discloses a golf putter having a hosel for connecting the shaft to the putter head (See Figures 4 and 5 and paragraph bridging columns 4 and 5). The hosel of Klien has a stub at the end thereof and is recognized to be a hosel; therefore, it is submitted that Pinns inherently shows a hosel for receiving a shaft.

Regarding claim 2, Pinns shows the hosel allowing the putter head to be recessed relative to the centerline of the putter (See Figure 4).

Regarding claims 3-5, Pinns show a distance of a contact point disposed on a face of the putter head to a point that is perpendicular to the centerline of the putter wherein the distance is about the radius of a golf ball which is art recognized as being about 0.84 inches.

Regarding claim 6, Pinns discloses the putter formed with the capability such that the putter head at a desirable contact point contacts a golf ball the centerline extends through the center of the shaft and continues on through a center portion of the hosel on to a point on a sightline disposed through the golf ball.

Regarding claim 7, Pinns discloses the centerline extending through the center of the shaft and continuing through the center portion of the hosel on a point of tangency of the golf ball and the surface where the golf ball is disposed.

Regarding claim 9, Pinns shows the putter head evenly weighted.

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Regarding claim 10, Pinns inherently has a sweet spot larger than a putter in which has been weighted being that Pinns shows and structurally meets that of the applicant's invention.

Regarding claim 11, Pinns shows a golf club having a shaft **14** for holding the putter, a putter head **12** affixed to a terminal end of the shaft, vertical leg **38**, horizontal leg **40**, and a stub shaft **18** wherein elements **38**, **40**, and **18** make up a shaft attachment means at the end of the putter head for receiving the terminal end of the shaft wherein a centerline extends through the center of the shaft and continues through a center portion of the stub shaft (See Figures 4 and 5). Pinns does not explicitly disclose the shaft attachment means being a hosel. Klein discloses a golf putter having a hosel for connecting the shaft to the putter head (See Figures 4 and 5 and paragraph bridging columns 4 and 5). The hosel of Klien has a stub at the end thereof and is recognized to be a hosel; therefore, it is submitted that Pinns inherently shows a hosel for receiving a shaft. Pinns discloses the putter formed with the capability such that the putter head at a desirable contact point contacts a golf ball the centerline extends through the center of the shaft and continues on through a center portion of the hosel on to a point on a sightline disposed through the golf ball.

Regarding claims 12-14, Pinns show a distance of a contact point disposed on a face of the putter head to a point that is perpendicular to the centerline of the putter wherein the distance is about the radius of a golf ball which is art recognized as being about 0.84 inches.

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Regarding claim 15, Pinns discloses the centerline extending through the center of the shaft and continuing through the center portion of the hosel on a point of tangency of the golf ball and the surface where the golf ball is disposed.

Regarding claim 17, Pinns shows the putter head evenly weighted.

Regarding claim 18, Pinns inherently has a sweet spot larger than a putter in which has been weighted being that Pinns shows and structurally meets that of the applicant's invention.

Regarding claim 19, Pinns shows a golf club having a shaft **14** for holding the putter, a putter head **12** affixed to a terminal end of the shaft, vertical leg **38**, horizontal leg **40**, and a stub shaft **18** wherein elements **38**, **40**, and **18** make up a shaft attachment means at the end of the putter head for receiving the terminal end of the shaft wherein a centerline extends through the center of the shaft and continues through a center portion of the stub shaft (See Figures 4 and 5). Pinns does not explicitly disclose the shaft attachment means being a hosel. Klein discloses a golf putter having a hosel for connecting the shaft to the putter head (See Figures 4 and 5 and paragraph bridging columns 4 and 5). The hosel of Klien has a stub at the end thereof and is recognized to be a hosel; therefore, it is submitted that Pinns inherently shows a hosel for receiving a shaft. Pinns discloses the putter formed with the capability such that the putter head at a desirable contact point contacts a golf ball the centerline extends through the center of the shaft and continues on through a center portion of the hosel on to a point on a sightline disposed through the golf ball and the centerline extending

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through the center of the shaft and continuing through the center portion of the hosel on a point of tangency of the golf ball and the surface where the golf ball is disposed.

Regarding claim 20, Pinns shows the putter head evenly weighted.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pinns (USPN 6155934) in view of Klein (USPN 5569098).

Regarding claim 8, Pinns does not explicitly recited the distance from the hosel to a point of tangency, but one having ordinary skill in the art would recognize that the distance would be within clearly within 0.120 inches of the point of tangency base upon the angle α of the hosel. Therefore, one having ordinary skill in the art would have found it obvious to have the angle of the hosel to be of any dimension in order to accommodate the user of the club head.

Regarding claim 16, Pinns does not explicitly recited the distance from the hosel to a point of tangency, but one having ordinary skill in the art would recognize that the distance would be within clearly within 0.120 inches of the point of tangency base upon the angle α of the hosel. Therefore, one having ordinary skill in the art would have found it obvious to have the angle of the hosel to be of any dimension in order to accommodate the user of the club head.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin A. Hunter whose telephone number is (571) 272-4411. The examiner can normally be reached on Monday through Friday from 7:30AM to 4:00PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Vidovich, can be reached on 571-272-4411. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alvin A. Hunter, Jr.


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